

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALLAN WHITE,

Plaintiff,

vs.

Case No. 02-CV-71710

HARRY TRAPP, and TOM PHILLIPS,

HON. AVERN COHN

Defendants.

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ORDER

This is a pro se prisoner civil rights case which was tried to a jury. The jury found for defendants. Plaintiff is appealing, inter alia, the judgment entered August 16, 2006 and the denial of his motion for a new trial. The Court denied plaintiff's request for a free transcript. See Order filed November 6, 2006. Plaintiff, pursuant to Fed. R. App. P. 10(c), filed a paper styled "Plaintiff-Appellant Amended Statement of the Evidence Based on His Personal Recollection of the Hearings When No Report Was Made" (Statement) and served it on defendants. Defendants have not filed objections or requested an amendment of the Statement. Therefore, the Court approves the Statement as filed without regard to its accuracy or completeness. As the Court reads Rule 10(c), its approval in the circumstances is merely a formality.

SO ORDERED.

Dated: December 19, 2006

s/Avern Cohn

AVERN COHN

UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, December 19, 2006, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager, (313) 234-5160